

REMARKS

After this amendment, claims 9-19, 25-33, and 36-39 are pending. Claims 2-8, 20-24, and 34-35 have been canceled without prejudice or disclaimer, and thus rejections directed to those claims are moot. Claims 9, 10, 25, and 28 have been amended. New claims 36, 37, 38, and 39 have been added.

Claim 9 Defines Over the Streit Reference

Independent Claim 9 was rejected under 35 USC 102(b) over U.S. Pat. No. 4,178,264 (hereinafter "the Streit reference"). The Streit reference discloses a gel comprising:

- a) a stearate salt combined with carrageenan (a polysaccharide sulfate ester);
- b) volatile active agent;
- c) a solvent for enhancing stearate solubility (glycols or C2-C18 alcohols); and
- d) water.

The solvent component "c," is not optional, as col. 2, lines 33-34 require that the 1-20% of the solvent component be present. The Streit reference also refers to important performance benefits of the solvent, noting that "The solvent component is present for the purpose of enhancing the solubility of the stearate component, improving the total emulsion, controlling the rate of evaporation and generally contributing to an improvement of freeze-thaw stability." col. 2, lines 48-52.

In marked contrast, as amended, Applicant's claim 9 recites a "process for the controlled humidification of indoor air or an indoor air supply comprising exposing a dimensionally stable composition comprised of 1 to 40% by weight of one or more alkali metal carboxylates of C₈₋₂₆ carboxylic acids and 60 to 99% by weight of water to the indoor

air or indoor air supply, wherein the composition contains virtually no water-soluble solvent."

The added limitation finds support in Applicant's specification, on page 5, third paragraph, which states: "In a preferred embodiment, the composition is formulated with virtually no solvent." Thus, the Streit reference cannot anticipate or render obvious Claim 9, as the Streit reference requires the presence of solvent.

Claims 38 and 39 find support in Applicant's specification, on page 5, fourth and fifth paragraphs, relating to regulators.

Applicant respectfully submits that Claim 9 is in condition for allowance. Dependent claims 10-19, 38, and 39 now dependent from and further limit an allowable claim, and therefore are allowable as well. Applicant submits that obviousness rejections to several of the dependent claims which were previously based on combinations of the Streit reference with other references need not be addressed, as the Streit reference fails to anticipate or render obvious even the base claim.

Claim 25 Defines Over the Streit Reference

Independent Claim 25 was rejected under 35 USC 102(b) over the Streit reference. As amended, claim 25 recites a "dimensionally stable composition suitable for use in the controlled humidification of indoor air or an indoor air supply comprising 1 to 40% by weight of one or more alkali metal carboxylates of C₈₋₂₆ carboxylic acids and 60 to 99% by weight of water, wherein the composition contains virtually no water-soluble solvent." The added limitation finds support in Applicant's specification, on page 5, third paragraph, which states: "In a preferred embodiment, the composition is formulated with virtually no solvent."

For the foregoing reasons, the Streit reference cannot anticipate or render obvious Claim 25, as the Streit reference requires the presence of solvent.

Applicant respectfully submits that Claim 25 is in condition for allowance. Dependent claims 26-33 now dependent from and further limit an allowable claim, and therefore are allowable as well. Applicant submits that obviousness rejections to several of the dependent claims which were previously based on combinations of the Streit reference with other references need not be addressed, as the Streit reference fails to anticipate or render obvious even the base claim.

New Claim 36 Defines Over the Streit Reference

New independent Claim 36 recites a "dimensionally stable composition, comprising: 1 to 40% by weight of one or more alkali metal carboxylates of C₈₋₂₆ carboxylic acids selected from the group consisting of caproic, caprylic, capric, lauric, myristic, palmitic, arachic, behenic, cerotic, pentadecanoic, margaric, tridecanoic, lignoceric, myristoleic, palmitoleic, oleic, elaidic, petroselic, erucic, linolic, linoleic, arachidonic, clupanodonic, docosaheptaenoic, eicosapentaenoic, and gadoleic acid; and 60 to 99% by weight of water." The recited acids find support in Applicant's specification, on page 4, first full paragraph.

The Streit reference cannot anticipate this claim, as the Streit reference is limited to disclosing only stearate salts, not other alkali metal carboxylates of C₈₋₂₆ carboxylic acids. Moreover, Applicant submits that the claim is not obvious, as the Streit reference sought to solve what it perceived as compound specific temperature sensitivity problems with carrageenan gel compositions (lacking low temperature stability) and stearate salt gel compositions (lacking high temperature stability) (col.1, line 49 - col. 2, line 6).

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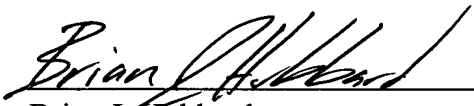
New Claim 37 Defines Over the Streit Reference

New independent Claim 37 recites a "dimensionally stable composition, comprising: 1 to 40% by weight of one or more alkali metal carboxylates of C8-26 carboxylic acids; 60 to 99% by weight of water; and a compound selected from the group consisting of non-hygroscopic salts, hygroscopic salts, clays, silica gels, and molecular sieves, for adjusting the vapor pressure of the water present in the dimensionally stable composition." The recited components find support in Applicant's specification, on page 5, fourth paragraph.

The Streit reference cannot anticipate or render obvious this claim, as the Streit reference fails to even mention "non-hygroscopic salts, hygroscopic salts, clays, silica gels, and molecular sieves."

If the Examiner has any questions, the Examiner is invited to call the undersigned representative at (215) 568-3100.

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